

Notice of Allowability

Application No.

10/735,781

Examiner

Nasser Ahmad

Applicant(s)

CROLL, THEODORE P.

Art Unit

1772

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/16/2003.
2. ☒ The allowed claim(s) is/are 1 and 3-7.
3. ☒ The drawings filed on 16 December 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Nasser Ahmad
Primary Examiner
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gregory J. Gore on June 22, 2005.

The application has been amended as follows:

Claim 1, line 3, before "delivery", the phrase - -planar - - has been added.

Claim 1, line 4, after ":", the phrase - -an adhesive on the bottom surface of the attachment portion of said pad - - has been inserted.

Claim 2 has been cancelled.

Claim 3, line 1, the numeral "2" has been changed to - -1 - -.

Per the preliminary amendment of April 19, 2004, specification, page-3, after-2, the added phrase

"Figure-8 is a top front isometric view of the invention alternately used to hold a dental material and adhesively secure a small dental implement.

Figure 9 is a top front isometric view showing the dental instrument released from the adhesive holding portion of the delivery pad and being manually applied to the contained dental material."

has been deleted

Per the preliminary amendment of April 19, 2004, specification, page-4, after line 12, the new paragraph added "The present device ... dental instruments" has been deleted.

Per the preliminary amendment of April 19, 2004, the specification, page-4, in the paragraph beginning at line 13, the added phrase "The non-adhesive portion of the pad may also be used to serve as a delivery point for various types of dental materials such as dental cements, resin restorative materials, or even medicaments that needs to be applied to structures in the mouth. The adhesive section of the top surface of the pad may be used to temporarily secure a small applicator brush or instrument or provide a surface for attachment of any small item that the dentist or hygienist may need to complete a dental procedure" has been deleted.

Drawing figures 8 and 9, submitted on April 19, 2004, have been deleted as being directed to new matter.

2. The following is an examiner's statement of reasons for allowance:

A review of the instant pending claims has convinced the examiner that the claims are allowable over the prior art of record. The prior art fails to teach or suggest a dental material delivery pad for adhesive attachment for a hand or a glove and comprising a delivery pad comprising a paper board laminated with metal foil, said pad having a

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delivery portion and an attachment portion, a plurality of foldlines on the top surface of the delivery portion of said pad for forming sidewall portions, the sidewalls being upwardly foldable along the foldlines for facilitating containment of dental material on said delivery portion of the pad, and an adhesive on the bottom surface of the attachment portion of the pad. Also, no evidentiary support could be provided to support the position that the instant claimed invention would have been obvious to one having ordinary skill in the art.

The closest prior art to BARHAM (6257888) relates to a dental practitioner's accessory comprising a shallow miniature tray (11) anchored to a glove by adhesive (29).

However, the reference fails to teach presence of a plurality of foldlines that are upwardly foldable and located in the delivery portion of the pad, that the pad is a laminate of paper board and metal foil, and that the adhesive is located in the attachment portion of the bottom surface of the pad.

Similarly, SPENCER (4988296) relates to a medical appliance holder comprising a cup (12) secured to a glove by adhesive patch (16). However, it fails to teach or suggest the claimed dental delivery pad of instant claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is 571-272-

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1487. The examiner can normally be reached on 7:30 AM to 5:00 PM, and on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Nasser Ahmad
Primary Examiner
Art Unit 1772

N. Ahmad.
June 27, 2005.